

**TOWN COUNCIL**

May 11, 2017

**TO:** Ron Van Winkle, Town Manager

**FROM:** Essie S. Labrot, Town Clerk/Council Clerk

The Town Council at its meeting held on May 9, 2017 set for public hearing on June 13, 2017 at 7:00 p.m. in the Legislative Chamber and referred to Town Plan and Zoning and Capital Region Council of Governments the attached Ordinance of the Town of West Hartford Permitting the Keeping of Honeybees.

**Attachment:** Ordinance with charts

**cc:** Pat Alair, Corporation Counsel  
Kimberly Boneham, Deputy Corporation Counsel  
Mark McGovern, Director of Community Services  
Todd Dumais, Town Planner  
Kevin Ahern, Chair Town Plan and Zoning Commission  
Lynne Pike DiSanto, Capitol Region Council of Governments



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**TOWN OF WEST HARTFORD 50 SOUTH MAIN STREET**  
**WEST HARTFORD, CONNECTICUT 06107-2431**  
**(860) 561-7430 FAX: (860) 561-7438**  
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**AN ORDINANCE OF THE TOWN OF WEST HARTFORD**  
**PERMITTING THE KEEPING OF HONEYBEES**

**WHEREAS**, the West Hartford Town Council has determined that the keeping of bees is beneficial and should be permitted in the Town of West Hartford;

**WHEREAS**, bees pollinate more than 30% of the food that humans consume, and in the United States of America bees pollinate up to \$15 billion worth of crops each year;

**WHEREAS**, Honey bees produce honey, wax, royal jelly, and propolis which is used to fight infections, bacteria, fungi and heal wounds;

**WHEREAS**, there is a need to regulate the keeping of bees for the safety of the community;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT** the West Hartford Code of Ordinances is hereby amended by the addition to Chapter 177, entitled Zoning, thereto:

**§177-12. Keeping of Honeybees**

The keeping of one or more colonies of the common domestic honey bee, Apis Mellifera, shall be a permitted accessory use in those districts specified under § 177-6C, Item 28 of the Schedule, subject to the following:

**A. Standards.**

- (1) The minimum lot size required for beekeeping shall be six-thousand (6,000) square feet.
- (2) The maximum number of colonies shall be subject to the following limitations:

<u>Zoning District</u>	<u>Maximum # of Permitted Colonies Per Lot</u>
<u>R-6</u>	<u>1</u>
<u>R-10, R-13 and R-20</u>	<u>2</u>
<u>R-40</u>	<u>3</u>
<u>R-80</u>	<u>4</u>

- (3) All colonies shall be located in rear yards and shall be located not less than twenty (20) feet from any property line.
- (4) A flyway barrier of at least 6 feet in height must be established in front of the opening of the hive. The flyway barrier may consist of a wall, fence, dense vegetation or a combination there of, such that honey bees will fly over rather than through the material to reach the colony.
- (5) An on-site source of fresh water shall be provide and shall be located closer to the hive than any water source on adjacent property.

**B. Operation and Maintenance**

(1) Honey bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

(2) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.

C. Application Procedure

(1) Subject to requirements set forth in §177.12 (A) and (B), no person shall keep honey bees within the Town of West Hartford without first obtaining a permit.

(2) An application for the keeping of honey bees shall be made in writing to the Town Planner and shall include all information outlined in §177.41 and subject to a Zoning Permit fee as outlined in §177.50.

(3) The Town Planner shall review applications for the keeping of honey bees and shall approve, disapprove or approve with modification such proposed application within 30 days after having received all of the information described in this section.

(4) The Town Planner shall give notice of the application by sending, by certificate of mailing, a copy of the application to the owners of all adjoining property to the property which is the subject of the application.

(5) The applicant shall post a sign giving notice of the application in a conspicuous place on the property for which the keeping of honey bees is sought, visible from a public street. Said sign shall be posted from the date an application is received by the Town Planner and shall remain in place until a decision on the application has been made.

(6) Permits shall be renewed annually and may be revoked if the permit has not been renewed within one week of the expiration of the prior permit.

D. State Requirements

(1) The applicant shall obtain all necessary permits prior to the installation of any colony and shall annually, on or before the first day of October, make application to the State Entomologist for the registration of bees. Following the issuance of the initial permit, no application for a permit or renewal of a permit to keep bees shall be considered until proof of registration with the State of Connecticut Entomologist is provided.

Van Winkle  
(05/09/17)

**Town of West Hartford**  
**Schedule of Permitted Accessory Uses**

Permitted Accessory Uses	One-Family Residence Districts							Multi-Family Residence Districts							Business Districts							Industrial Districts					
	R-80	R-40	R-30	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-M3	RCD and RM-0	RO	RF	BO1	BO	NI	BN	BND	BS	BCA CBDH	BC	IF	IE	IR	IC
1. Keeping of not more than 3 nontransient roomers or boarders in any dwelling unit	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P	P		P					
1A. Keeping of not more than 3 nontransient roomers or boarders in any dwelling unit for which a family permit for a housekeeping unit composed of three (3) or fewer individuals not related by blood or marriage as specified in §177-2 of this chapter is issued	A	A	A	A	A	A		A	A	A	A	A	A	A	A		A	A	A	A		A					
2. Private garage for motor vehicles	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
3. Off-street parking and loading facilities for:																											
(a) Motor vehicles							X									X	X	X	X	X	X	X	X	X	X	X	X
(b) Motor vehicles bearing current Connecticut passenger registration	X	X	X	X	X	X		X	X	X	X	X	X	X	X												
(c) Either 1 van or 1 pickup truck per dwelling unit	X	X	X	X	X	X		X	X	X	X	X	X	X	X												
(d) Not more than 2 unregistered motor vehicles																X	X	X	X		X		X	X	X	X	X
(e) Not more than 1 unregistered motor vehicle	X	X	X	X	X	X		X	X	X	X	X	X	X	X												
4. Parish house, parsonage, church schoolrooms	A	A	A	A	A	A		A	A	A	A	A	A	A	A		A	A	A	A	A	A	A				

**KEY:**

- A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.  
 B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.  
 C = Permitted use subject to approval of Town Council pursuant to § 177-45 and subject to § 177-42B.  
 P = Permitted use subject to issuance of a building and/or zoning permit.  
 X = Permitted accessory use subject to the same permits and review procedures as the main use to which it is an accessory.  
 Not marked = Not a permitted use in the particular zoning district.

**NOTES:**

For detailed use regulations in the BOL District, see § 177-7.

Permitted Accessory Uses	One-Family Residence Districts						Multi-Family Residence Districts						Business Districts						Industrial Districts								
	R-30	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-1.5	RCD and RM-0	RO	RP	BOL <sup>1</sup>	BO	BI	BN	END	ES	BCA and CBH	BC	IP	IE	IR	IG
5. Signs as specified in §177-33	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
6. Swimming pools, provided that they meet the requirements set forth by ordinance	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
7. Noncommercial greenhouse, boathouse, fallout shelter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
8. As an incidental part of the conduct of a retail business, manufacturing and packaging of articles to be sold at retail on the premises, provided that not more than 50% of the floor space occupied by such retail business is devoted to such manufacturing and packing use																		P	P	P	P	P				P	P
9. Any accessory building or use, except that an accessory use of not more than 3 days' duration for any 1 event for a charitable or philanthropic purpose or for a seasonal farmers' market on the premises of a commercial or industrial use, place of worship, school or college, library or museum, religious institution, park or recreational facility and private nonprofit membership club is permitted as a "P" use. Customary accessory uses for such charitable or philanthropic purposes shall include but are not limited to rummage sales, bazars, fairs and plant sales. Tag sales of no more than 3 days' duration and no more than 2 times in a calendar year shall be permitted accessory use to a residence.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
10. Amusement devices, as specified in §177-31 and licensed under §83-11 through 3-16 of the West Hartford Code																			X	X	X	X	X	X	X	X	X

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**NOTES:**

<sup>1</sup>For detailed use regulations in the BOL, District, see § 177-7.  
 Editor's Note: Secs. 3-11 through 3-16 of the 1972 Code were repealed 5/25/82.

Permitted Accessory Uses	One-Family Residence Districts						Multi-Family Residence Districts						Business Districts						Industrial Districts									
	R-40	R-40	R-20	R-12	R-10	R-4	EP	RM-4	RM-3	RM-2	RM-1	RL-M5	RCO and RM-0	RO	RP	BOL	BD	RI	BV	BND	BS	BC & CBDH	BC	IF	IE	IR	IG	
11. Service of food and beverages by waiters or waitresses at customers' tables outside of the enclosed restaurant on the premises of an existing restaurant.	A	A	A	A	A	A	?	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
12. Family day-care home	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13. Retail firearms store																					X	X	X					
14. Circular driveway, as specified in §177-33E(13)	X	X	X																									
15. Child day-care center operating before and after regular school hours only if accessory to an existing public, private or parochial school or college which is the main use on the site	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
16. Drive-up window-counter service at restaurants							?																			X	X	
17. Provision of temporary seasonal outdoor dining on the premises of an existing restaurant which does not sell alcoholic beverages, provided that there are no more than 4 tables, with 4 chairs per table. Location of outdoor furniture shall not obstruct the pedestrian right-of-way or emergency access.							?												P	P	P	P	P	P	P	P	P	P

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**NOTES:**

- <sup>1</sup> For detailed use regulations in the BOL District, see § 177-7.  
<sup>2</sup> See § 177-3(D)(6).

Permitted Accessory Uses	One-Family Residence Districts						Multi-Family Residence Districts						Business Districts						Industrial Districts									
	R-30	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-1S	RCD and RM-10	RO	RP	BOL <sup>1</sup>	BD	BI	BN	BND	BS	BC-A CDDH	BC	IF	IE	IR	IG	
18. Temporary seasonal outdoor sale of green grocer products, i.e., fresh fruits, vegetables, as well as hot or cold fresh or prepared foods and home garden plants and flowers, as an accessory use to an existing food store/food market, provided that the display area stand is not located in a required parking or driveway area. Location of any product display stand shall not obstruct the pedestrian right-of-way and shall not obstruct building or sight egress, emergency access or create site obstructions to vehicular traffic.																			P	P	P	P	P	P	P	P	P	P
19. Car wash facilities																								A	B	B	B	B
20. Drive-up window dispensing only prescription medications at retail pharmacies provided that a surveillance system meeting the requirements of the Chief of Police is operating during the hours of business.																							A					
21. Adult Day-Care Center	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A			A					
22. Adult Group Day-care Facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A			A					
23. Adult Day-Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A			A					
24. Kennel	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A		A			A	B			B	B	B
25. Closed Loop Geothermal Systems and Solar Energy Systems permitted as accessory uses pursuant to §177-37.3	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
26. Fuel cells permitted as accessory uses pursuant to §177-37.3	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	X	X	X	X	X	X	X	X	X	X	X	X
27. Food Truck, permitted as an accessory use within the parking area of an existing business provided that the location does not interfere with the safe circulation of vehicular and pedestrian traffic. No more than two (2) food trucks shall be permitted on any one property at the same time and shall not be permitted within five hundred (500) feet of any building which houses a restaurant. Sales from any food truck shall be permitted between the hours 7 am and 10 pm on any calendar day and shall be limited to not more than three (3) days per week.																												P
28. Keeping of Horses/foals	P	P	P	P	P	P																						

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<sup>1</sup>For detailed use regulations in the BOL District, see § 177-7.